

REMARKS

In the image pickup apparatus set forth in the claims presented in the foregoing Preliminary Amendment, the invention requires a first read-out mode for reading signals of pixels contained in a first image pickup area through addition of n pixels (n is a natural number), and a second read-out mode for reading signals of pixels contained in a second image pickup area smaller than the first image pickup area, without addition or through addition of m pixels ($m < n$, m is a natural number). Moreover, the claimed invention is arranged so as to effect exposure control in accordance with a difference between the numbers n and m of pixels to be added in the respective two read-out modes (e.g., the third embodiment).

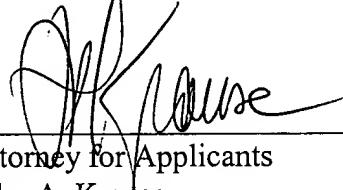
The above-described feature of the present invention is not disclosed by the cited Kinugasa and Yokouchi patents.

Specifically, in the Office Action, it is correctly stated that “Kinugasa does not expressly disclose an exposure control circuit which effects exposure control corresponding to each of the first and second read-out modes”. However, that deficiency of the Kinugasa patent as a rejecting reference is not overcome by the disclosure of the Yokouchi patent. Instead, Yokouchi discloses an image pickup apparatus having an all-pixel read-out mode and a thinning-out read-out mode (column 8, lines 20-35), but it fails to disclose a particular relationship between exposure control and the read-out modes. The reference of Yokouchi merely teaches in Fig. 1 that the image pickup apparatus includes an AE circuit 11 and therefore fails to even suggest the exposure control circuit recited in each of the amended independent claims 1, 9, 10 and 11.

For these various reasons Applicants respectfully submit that each of the amended independent claims, as well as all of the dependent claims, are patentably distinct over the cited references. Accordingly, the issuance of a formal Notice of Allowance is solicited.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants
John A. Krause
Registration No. 24,613

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 474395v1